

**BOARD OF HARBOR COMMISSIONERS  
CITY OF SANTA BARBARA  
MINUTES**

Regular Monthly Meeting

May 15, 2008

City Council Chambers - City Hall 6:30 p.m.

**ROLL CALL** 6:30 p.m.

Commissioners Present

Will Anikouchine  
Betsy R. Cramer  
Frank Kelly  
Ken Owen  
Charles Watson

Staff Present

John Bridley, Waterfront Director  
Scott Riedman, Waterfront Business Manager  
Karl Treiberg, Facilities Manager  
Mick Kronman, Harbor Operations Manager  
Mary Adams, Harbor Commission Secretary  
Maryanne Knight, Computer Training Coordinator

Councilmembers Present

None

**CHANGES TO THE AGENDA**

Mr. Bridley had the following announcements:

There was a correction noted on the agenda. The Harbor Commission meeting will be rebroadcast on May 19 and May 26, 2008.

Harbor Commission meetings will be airing on the internet from now on and Maryanne Knight was at the meeting to assist with implementing the streaming video program.

Item #7 was tabled until the June meeting.

**PUBLIC COMMENT**

No Public Comment

**HARBOR COMMISSION MATTERS**

**1. Approval of Minutes**

Moved to approve the minutes from the March 20, 2008, Harbor Commission meeting. Owen / Cramer 5-0.

## **DIRECTOR'S REPORT**

### **2. Department Update**

- Council Agenda Items
- CMANC Meeting
- Tentative Agenda Items for June

### **3. Facilities Management Report**

- Stearns Wharf
- Harbor
  - Marina 1 Expansion fire Water System
  - Hoist 4
  - Fuel Dock Vault
  - Marina 1 East Restroom Solar Thermal Project
  - Marina 1 Replacement Project

Commissioner Watson questioned why Marina One fire system, the newest system in the marinas, did not meet Federal standards. Should the project designer be culpable for any design flaws or for not meeting Federal standards? Commissioner Kelly asked staff to see if there have been any Federal code changes since the design was implemented. Staff will pursue these issues with City Attorney to see what the statute of limitations is and what, if any, liability would be the responsibility of the project designer.

Mr. Kronman interposed that Harbor Patrol has two fire boats capable of handling a fire emergency in the harbor while the fire water system is down and under repair.

City Attorney made a decision that Commissioners can attend standing committees (noticed public meetings), if they do not participate in any way at the meetings.

### **4. Business Services Report**

- New Property Management Specialist
- Vacant Space / 117-F Harbor Way
- Automatic Payment Service For Slip Fees

### **5. Harbor Operations Report**

- Fisherman's Body Recovered; Boater Lost in Catamaran Accident
- Santa Barbara Harbor Commercial Fish Landings Increase in 2007
- Harbor Swap Meet and Hazmat Turn-In Day May 17<sup>th</sup>
- Year Three of Operation Clean Sweep Yields Two Tons of Seafloor Junk

## **NEW BUSINESS**

### **6. Voyage Partners, LLC – Lease Agreement**

Staff Report: Scott Riedman, Waterfront Business Manager

Moved to recommend to City Council approval of a five year lease, with one five-year option, for the 2,520 square foot berth area located at Marina 4-B, at an initial monthly rent of \$1,666.66 per month. Watson/Anikouchine 5-0.

### **7. RFP – 125 Harbor Way, Suite #24**

John Bridley briefly explained why this item was tabled until June's meeting.

Dennis Longaberger responded to the RFP regarding lease space at 125 Harbor Way and was selected as one of the potential tenants. His proposal was to expand his current business into the new space and incorporate high end charters to enhance his current business. Unfortunately, during lease negotiations, Mr. Longaberger made some demands that were not included in his original proposal and staff was unable to accommodate his requests. Therefore, negotiations were halted. Staff recommended issuing another RFP and a new proposal be selected. Subsequently, Mr. Longaberger notified staff that he would be willing to move forward with his original proposal.

Commissioner Cramer commended staff for their willingness to continue working out the issues concerning Mr. Longaberger's proposal for additional space in the harbor.

Commissioner Watson contended that he would not continue negotiations with Mr. Longaberger as he was not forthright with the Selection Committee.

Commissioner Owen inquired about brokerage business regulations in the Harbor. Mr. Bridley stated that brokers are licensed by the state and staff is unable to control them doing business. However, the City prohibits brokers from putting up signs in the Marina, if they are not a broker with a harbor lease space. City Attorney has determined that use of the Marina bulletin boards is a free speech issue and must be open to everyone. Additionally, staff does not feel that policing the bulletin boards would be an effective or good use of staff time. With the advent of the internet, it is probably easier for clients to access brokerage information on-line than on the Marina bulletin boards. Boat owners have the right to let anyone they want down to their boats including yacht brokers. Scott Riedman went over the Business Activity Permit (BAP) policy and staff's efforts to regulate permits for those who work in the marinas. Again, the implementation of the BAP process was not intended to generate income, but to incorporate insurance requirements for those working within the marinas and harbor area.

**8. Marina 1 Construction Loan Status**

**RECOMMENDATION:**

Staff Report: Scott Riedman, Waterfront Business Manager

Commissioners received a status report for the proposed Marina 1 construction project loan from the California Department of Boating and Waterways (DBAW).

Although the Department of Boating and Waterways only allocated \$720,000 for this project, they are not taking any additional applications at this time in an effort to fulfill current requests including Santa Barbara.

Commissioner Watson commended staff on pursuing Marina 1 Replacement, however he feels Marina 1 still has some life and, if funding is a problem at this time, it may be prudent to put off the project until funds are available.

Commissioner Owen asked about other funding options or use of reserves for the project. Mr. Bridley said that Waterfront does not have the luxury of taking the money from reserves. It would severely impact reserve levels and go below requirements. With the DBAW loan money is made available for the project, however debt service is only due when funds are actually used. Money is just allocated for the City's use. Staff is working on alternative funding options as well. It would behoove the Department to go ahead as it is currently a good bidding climate and slipholders have been prepared and expect the project to move forward. Staff will come back to the Commission with an update on funding options and progress being made on the project.

**COMMISSION/STAFF COMMUNICATIONS**

**ADJOURNMENT**

Moved to adjourn the meeting at 7:52 p.m. Owen/Watson 5-0.